



letter again
Audrey Asher to: Dan Gravatt

10/02/2012 12:48 PM

History: This message has been replied to.



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Hi Dan,

Thanks for the comments --I inserted your suggested changes. I do not yet have the address of Christina Richmond, DOJ-EDS and I don't have the name and address of the new DOE atty. I am getting that hopefully today and if you are okay with this as it now reads, I will ask Kristina to arrange for it to be mailed. I am on vacation from Thursday Oct. 4 thru Mon. Oct. 15.

Audrey

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DATE

William Beck, Esq.
Jessica Merrigan, Esq.
Lathrop and Gage LLP
2345 Grand Blvd. Suite 2200
Kansas City, MO 64108

Charlotte Neitzel, Esq.
Holme Roberts & Owen LLP
1700 Lincoln Suite 4100
Denver, CO 80203

Kate Whitby, Esq.
Spencer Fane Britt & Browne
1 North Brentwood Boulevard
Suite 1000
St. Louis, MO
63105-3925

Christina Richmond, Esq.
U.S. Department of Justice
Environmental Defense Section
xxxxxx
Washington, D.C. xxxxxx

DOE Atty

Sarah Himmelhoch, Esq.
U.S. Department of Justice
Environmental Enforcement Section
P.O. Box 7611
Washington, DC 20044

RE: *In the Matter of Cotter Corporation (NSL), and Laidlaw Waste Systems (Bridgeton), Inc.
and Rock Road Industries, Inc. and the U.S. Department of Energy
Administrative Order on Consent, EPA Docket No. VII-93-F-0005*

Dear Counsel:

This is to confirm that as Respondents to the above-captioned Administrative Order on Consent (Consent Order) for a Remedial Investigation/Feasibility Study (RI/FS), you have agreed to perform additional work pursuant to Paragraph 51 of the Consent Order. Your agreement was previously conveyed to me in our conference call on June 14, 2012. The EPA National Remedy Review Board (NRRB) recommended this work be performed for Operable Unit 1 of the West Lake Landfill Superfund Site after participating with Region 7 in an early consultation on Region 7's selection of the remedy and the Supplemental Feasibility Study (SFS) which Respondents prepared. The NRRB recommendations that Region 7 seeks to have implemented at this time include more detailed evaluations of i) the partial excavation alternative; ii) alternative landfill cap designs; and iii) treatment technologies.

Through technical discussions between EPA Remedial Project Manager Dan Gravatt and your consultant, Paul Rosasco, Respondents agreed to perform an additional round of groundwater sampling. This work has now been undertaken and results of the sampling are pending. Respondents also agreed to perform the following:

1. Alternative Excavation Volume – Respondents shall revise the excavation volume to exclude the deep radiological detections in borings WL-210 and WL-235, which the NRRB believes are unreliable.
2. Partial Excavation Alternative – Respondents shall define the parameters to be used to define the extent and configuration of the waste materials to be included in the Partial Excavation with Offsite Disposal and Partial Excavation with Onsite Disposal, and then update the analysis of this alternative presented in the RI/FS at a level of detail comparable to the alternatives already analyzed in the SFS.
3. Apatite Treatment Technologies – Respondents shall evaluate potential applications of apatite and/or phosphate solutions for possible treatment of waste materials and/or groundwater at a level of detail comparable to the treatment technologies already analyzed in the SFS.
4. Respondents shall recalculate costs for all alternatives, using a 7% Discount Rate for the Present Value calculations.
5. Alternative Landfill Cap Designs – Respondents shall evaluate potential alternative landfill cover designs including but not limited to an Evapotranspiration (ET) cover.
6. Fate and Transport Modeling – Respondents shall submit a geochemical model to assess the potential mobility and potential leachability of the radionuclides, followed by (if necessary) an unsaturated zone transport model, followed by a site-specific groundwater flow and transport model (if the prior two models indicate that a potentially measurable impact to groundwater may occur), followed by (if necessary) a regional groundwater

flow and transport model to address possible transport to the river; and if necessary, a surface water flow and transport model to address possible transport within the river.

Respondents shall provide a work plan and a schedule for the work described above for EPA review which will be mutually acceptable to EPA and Respondents. Respondents shall document the work performed in an amendment to the SFS report.

The Consent Order remains in effect until terminated by EPA. Unless any Respondent indicates otherwise in writing to me, this letter accurately reflects the agreement by all parties to the Consent Order to perform additional work.

Sincerely,

Audrey B. Asher
Senior Counsel

cc: Dan Gravatt, SUPR
Shawn Muenks, MDNR